

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



Docket No.: 300.1012
Date: October 14, 2003

OCT 23 2003

1615

TECH CENTER 1600/2900

In re application: Xiu Xiu Cheng, et al.

Serial No.: 09/705,625

Filed: November 3, 2000

For: **METHODS FOR TREATING DIABETES VIA ADMINISTRATION OF CONTROLLED RELEASE METFORMIN**

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$	9		x \$	18
INDEP. CLAIMS	* Minus***	=	0	x \$	42		x \$	84
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$140		+	\$280

TOTAL: \$ OR TOTAL: \$

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☐ Also transmitted herewith are:
☐ Petition for extension under 37 C.F.R. 1.136 (in duplicate)
☐ Other:
- ☐ Check(s) in the amount of \$.00 is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition fee for extension under 37 C.F.R. 1.136
☐ Other:
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

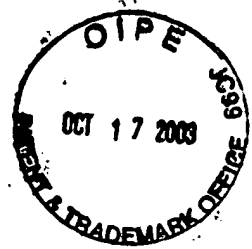
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with sufficient postage to the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on

OCT 14 2003
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *David J. Kappel*



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TECH CENTER 1600/2300

UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: Xiu Xiu Cheng, et al.
Serial No.: 09/705,625
Filed: November 3, 2000
For: **Methods for Treating Diabetes Via
Administration Of Controlled Release
Metformin**
Examiner: T. Ware Art Unit: 1615

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 14, 2003

AMENDMENT UNDER 37 C.F.R. § 1.111

Sir:

Reconsideration of the present application in view of the following amendments and remarks is respectfully requested.

I. INTRODUCTORY COMMENTS

In response to the Office Action mailed on July 14, 2003, please amend the above-referenced application as provided in the section below entitled "AMENDMENTS TO THE CLAIMS."